

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EMANUEL ANTHONY MILLER,)	No. C 10-5746 LHK (PR)
)	
Petitioner,)	ORDER OF DISMISSAL
)	
v.)	
)	
MATTHEW CATES,)	
)	
Respondent.)	
_____)	

On December 13, 2010, Petitioner, a state prisoner proceeding *pro se*, filed the instant habeas corpus petition, pursuant to 28 U.S.C. § 2254. That same day, the Court sent a notification to Petitioner informing him that he did not file a completed in forma pauperis application, nor did he pay the required filing fee. The Court provided a copy of the in forma pauperis application, along with a return envelope, and a notification that the case would be dismissed if Petitioner failed to pay the fee or file a completed application with supporting documentation within thirty days. On January 13, 2011, Petitioner filed an amended petition for writ of habeas corpus, but has not otherwise responded to the Court's notification.

As Petitioner has not filed a completed in forma pauperis application or paid the filing fee, this case is DISMISSED without prejudice. The Clerk shall close the file.

IT IS SO ORDERED.

DATED: 1/31/11



LUCY H. KOH
United States District Judge